

REESE RICHMAN LLP

Michael R. Reese (Cal. State Bar. No. 206773)

Kim E. Richman

Belinda L. Williams

875 Avenue of the Americas, 18th Floor

New York, NY 10001

Telephone: (212) 643-0500

Facsimile (212) 253-4272

Attorneys for Plaintiff and the Proposed Class

KIRKLAND & ELLIS LLP

Jeffrey Willian, P.C. (*Pro Hac Vice*)

Robert B. Ellis, P.C. (*Pro Hac Vice*)

Bradley H. Weidenhammer (*Pro Hac Vice*)

Nickolas A. Kacprowski (Cal. State Bar. No. 242684)

Amy E. Crawford

300 North LaSalle Street

Chicago, IL 60654

Telephone: (312) 862-2000

Facsimile: (312) 862-2200

Attorneys for Defendant S.C. Johnson & Son, Inc.

E-FILED - 6/23/10

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

WAYNE KOH, on behalf of himself and all
others similarly situated

Plaintiff,

vs.

S.C. JOHNSON & SON, INC.,

Defendant.

Case No.: 09-cv-00927 RMW

**STIPULATION AND ☐ ORDER
ESTABLISHING DISCOVERY AND
BRIEFING SCHEDULE**

**STIPULATION AND ☐ ORDER
ESTABLISHING DISCOVERY AND BRIEFING SCHEDULE**

Pursuant to Local Rule 6-1(b), Plaintiff Wayne Koh and Defendant SC Johnson & Son, Inc. (collectively, the "Parties"), by their attorneys, hereby stipulate to the following schedule. The Parties also hereby respectfully request that the Court order the stipulated schedule:

Stipulation and ☐ Order Establishing
Discovery and Briefing Schedule

Case No. 09-cv-00927 RMW

STIPULATION

WHEREAS, on February 2, 2010, the Court entered the following schedule (Dkt. 50);

Discovery cut-off:	July 8, 2010
Disclosure of experts:	August 6, 2010
Expert discovery cut-off:	September 10, 2010
Pretrial Conference:	November 4, 2010 at 2:00 p.m.
Jury Trial:	December 6, 2010 at 1:30 p.m.
Last Day to Hear Dispositive Motions:	October 1, 2010 at 9:00 a.m.

WHEREAS, though the Parties have been engaging diligently in discovery, they realize that they need additional time to complete discovery;

WHEREAS, the Parties agree that additional time is needed for purposes of conducting briefing on class certification and dispositive motions than that allowed by the current schedule;

WHEREAS, the Parties have, to date, requested a single sixty (60) day extension of the discovery deadline and trial date, which was granted by the Court on February 2, 2010;

WHEREAS, the Parties estimate that they need an additional one hundred and twenty (120) days to complete discovery and conduct briefing on class certification and summary judgment;

THE FOLLOWING SCHEDULE, UPON PERMISSION OF THE COURT, IS AGREED TO BY THE PARTIES:

Class Certification Briefing:

Plaintiff's motion for class certification:	August 2, 2010
Defendant's response to motion for class certification:	September 16, 2010
Plaintiff's reply in support of motion for class certification:	October 14, 2010

Discovery:

Fact discovery cut-off:	October 12, 2010
Plaintiff's expert reports due:	October 19, 2010
Depositions of plaintiff's experts:	November 2, 2010

Defendant's expert reports due: November 16, 2010

Depositions of defendant's experts: December 3, 2010

Summary Judgment Briefing:

Motions for summary judgment: November 19, 2010

Responses to motions for summary judgment: December 20, 2010

Replies in support of motions for summary judgment: January 19, 2011

Last Day to Hear Dispositive Motions: February 4, 2011, at 9:00 a.m.

Trial:

Pretrial Conference: March 10, 2011 at 2:00 p.m.

Jury Trial: April 4, 2011 at 1:30 p.m.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: May 18, 2010

REESE RICHMAN LLP

/s/ Michael R. Reese (with permission)

Michael R. Reese
875 Avenue of the Americas, 18th Floor
New York, New York 10001
Telephone: (212) 643-0500
Facsimile: (212) 253-4272

KIRKLAND & ELLIS LLP

/s/ Nickolas A. Kacprowski

Nickolas A. Kacprowski, Bar No. 242684
555 California Street
San Francisco, CA 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500

Jeffrey L. Willian, P.C. (*Pro Hac Vice*)
Robert B. Ellis, P.C. (*Pro Hac Vice*)
Bradley H. Weidenhammer (*Pro Hac Vice*)
300 North LaSalle Street
Chicago, IL 60654
Telephone: (312) 862-2000
Facsimile: (312) 862-2200

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: 6/23/10



Ronald M. Whyte
United States District Judge

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who have consented to electronic service are being served with a copy of the foregoing document either via the CM/ECF system and Electronic Mail on May 18, 2010, or via overnight delivery (Federal Express) to the non-CM/ECF participants.

Michael R. Reese
Kim E. Richman
REESE RICHMAN LLP
875 Avenue of the Americas, 18th Floor
New York, New York 10001
Telephone: (212) 579-4625
Facsimile: (212) 253-4272
Attorneys for Plaintiff Koh

Deborah Clark-Weintraub
WHATLEY DRAKE & KALLAS LLC
1540 Broadway, 37 Floor
New York, New York 10036
Telephone: (212) 447-7070
Facsimile: (212) 447-7077
Attorneys for Plaintiff Koh

Date: May 18, 2010

/s/ Nickolas A. Kacprowski
KIRKLAND & ELLIS LLP
Nickolas A. Kacprowski, Bar No. 242684
555 California Street
San Francisco, CA 94104
Telephone: (415) 439-1400
Facsimile: (415) 439-1500

Attorneys for SC Johnson & Son, Inc.